

HOUSE BILL REPORT

SHB 1501

As Passed House:
March 8, 2013

Title: An act relating to building upon the existing wildlife interaction program to establish the mechanisms behind an uncapped funding source for implementing the provisions of the Washington wolf conservation and management plan adopted by the fish and wildlife commission in 2011 in a way that does not change the management provisions of the plan.

Brief Description: Building upon the existing wildlife interaction program to establish the mechanisms behind an uncapped funding source for implementing the provisions of the Washington wolf conservation and management plan adopted by the fish and wildlife commission in 2011 in a way that does not change the management provisions of the plan.

Sponsors: House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Lytton, Kretz and Ryu).

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/5/13, 2/20/13 [DPS];

Appropriations Subcommittee on General Government: 2/23/13 [DPS(AGNR)].

Floor Activity:

Passed House: 3/8/13, 75-22.

Brief Summary of Substitute Bill

- Allows the State Wildlife Account to be used for compensating the owners of livestock for damage caused by wild carnivores.
- Creates a new account to be used for the mitigation, prevention, assessment, and payment of claims for livestock losses due to wolf predation.
- Allows the owners of livestock injured or killed by wolves to receive compensation at the market value of the animal instead of at a set price.
- Creates a special wolf license plate to help fund preventative wolf management efforts.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys, Dunshee, Haigh, Hurst, Kretz, Orcutt, Pettigrew, Schmick, Stanford, Van De Wege and Warnick.

Staff: Jason Callahan (786-7117).

HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT

Majority Report: The substitute bill by Committee on Agriculture & Natural Resources be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys, Chandler, Dunshee, Hunt, Pedersen and Springer.

Minority Report: Do not pass. Signed by 1 member: Representative Taylor.

Staff: Michael Bennion (786-7118).

Background:

Wildlife Damage Compensation.

The Department of Fish and Wildlife (WDFW) is directed to, subject to funding limits, monetarily compensate the owners of commercial crops damaged by deer or elk and the owners of commercial livestock that are killed or significantly injured by bears, cougars, or wolves. Each individual claim by a crop or livestock owner is eligible to be paid the value of the lost crop less any payments received by a nonprofit organization up to a maximum of \$10,000. For livestock, the compensation is \$200 for each lost sheep and \$1,500 for each lost head of cattle or horse.

Total compensation for the owners of commercial crops generally may not exceed \$150,000 per year, and total compensation for the owners of commercial livestock may not exceed the amounts specifically appropriated for the purpose. To date, no funding has been provided for compensation to the owners of commercial livestock.

Property owners may not receive compensation from the WDFW if they have insurance that provides compensation for the crop loss. Also, they must first exhaust any available compensation offers from nonprofit organizations and utilize all applicable legal and practicable self-help preventative measures. Self-help measures include nonlethal methods of damage prevention and materials and services provided by the WDFW.

Summary of Substitute Bill:

Special License Plate.

A special license plate is created that recognizes the wolf population of Washington and the special management needs of wolves. The plate must display a symbol or artwork depicting a wolf. The cost of the special plate would be an annual charge of \$40. The Department of

Licensing must, after deducting administrative costs, provide the remainder of all revenue for these plates to the WDFW to be used for preventative wolf management efforts.

Wildlife Damage Compensation.

The WDFW is authorized to spend up to \$50,000 per fiscal year from the State Wildlife Account to pay claims and assessment costs for injuries and losses to commercial livestock from bears, wolves, and cougars. This authority is additive to the WDFW's authority to use State Wildlife Account funding for ungulate damage to crops. The WDFW must transfer any portions of the authorized \$50,000 that are unspent at the end of any biennium to the Wolf Interaction Conflict Account (Account).

The Account is created as an unappropriated account. In addition to the transfer of any unspent State Wildlife Account money that was appropriated for paying wolf predation claims, the Account may also receive grants, gifts, donation, legislative appropriations, fund transfers, and the proceeds of the special wolf license plate.

Expenditures from the Account are to be used for the mitigation, prevention, assessment, and payment of claims for livestock losses due to wolf predation. The WDFW must pay wolf compensation claims in the chronological order they were confirmed. Confirmed claims in one fiscal biennium may be paid from the Account in a future biennium. For livestock killed by wolves, the animal-specific compensation limits are removed. Instead, compensation is available in an amount that equals the market value of the animal that was lost.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony (Agriculture & Natural Resources):

(In support) It is important to minimize livestock losses while not negatively affecting wolf recovery in the state. This is only possible if there is full funding of preventative wolf management and compensation for losses. This bill attempts to provide that stable funding source. Cattle depredation is skyrocketing with the return of wolves and landowners must be given tools to deal with the problem. The license plate allows for some funding; however, the new account will provide more stability and is important for managing the compensation program.

There are already more wolves in Washington than the WDFW identifies. Those in Washington are just part of a healthy population in the other Rocky Mountain states and British Columbia. Wolves should be managed just like all predators. They kill a lot of animals and eat very little of what they kill. The situation is unfortunate, but it is not fair to cast ranchers in the role of the bad guys.

(Opposed) The state's wolf management plan was developed in an open and transparent process with diverse stakeholders and received unanimous support from the Fish and Wildlife

Commission. The plan is based on science and was extensively peer reviewed. The only thing keeping the plan from succeeding is an adequate commitment to funding. Outreach is important, because the more a citizenship knows about a species the more acceptance there will be for their recovery. Funding should go to this needed outreach and nonlethal management as nonprofit organizations are willing to fill the role of compensators for livestock loss.

Ungulates and livestock can co-exist with wolves. Wolves are necessary for the restoration of an intact ecosystem. Humans will adjust overtime with the wolves being back on the landscape. The wolf management plan should not be amended for short-term economic benefit for recreational pursuits.

Staff Summary of Public Testimony (Appropriations Subcommittee on General Government):

(In support) The initial reimbursement limit for compensation to commercial producers from livestock losses resulting from wolf depredation has a cap of \$1,500 in statute and was part of a process four years ago when the initial legislation was passed. At that time there were steep challenges to ensure the fiscal note was as low as possible because the legislation was looking at a much broader spectrum. The commercial producer, one with a Schedule F on file and with gross income of \$10,000 or more, needs to be assured that the limited amount of compensation is available and would go to those that depend on it as a source of living. The aspects highlighted in the bill do not have the same limitations as the statute. Under the wolf plan, producers are allowed to be paid two times the value of the animal, one time, on a probable basis. The cap has been removed and compensation is only on a confirmed depredation and with proper proof of the value of the loss.

(Opposed) None.

Persons Testifying (Agriculture & Natural Resources): (In support) Representative Lytton, prime sponsor; Jack Field, Clay Schuster, Rick Nelson, and Travis Miller, Washington Cattlemen's Association; Chantel Thurman; Jim Detro, Okanogan County; Dave Ware, Washington Department of Fish and Wildlife; Bob McCoy; Bob Aegerter; Don Dashiell, Stevens County; Karen Skoog, Pend Oreille County; John Wyss, Okanagon County Farm Bureau; and Mark Herke, Herke Ranch.

(Opposed) Diane Gallegos, Wolf Haven International; Lorna Smith, Western Wildlife Outreach; and Ruth Musgrave, Defenders of Wildlife.

Persons Testifying (Appropriations Subcommittee on General Government): Jack Field, Washington Cattlemen's Association.

Persons Signed In To Testify But Not Testifying (Agriculture & Natural Resources): None.

Persons Signed In To Testify But Not Testifying (Appropriations Subcommittee on General Government): None.